

AN ACT

RELATING TO PERMISSIBLE FORMS OF OWNERSHIP OF TRANSMISSION FACILITIES SUBJECT TO A JOINT AGREEMENT FOR GENERATING, PURCHASING, OR OTHERWISE ACQUIRING ELECTRIC POWER AND ENERGY.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 390.1, subsection 9, Code 2011, is amended to read as follows:

9. *"Own"* and *"ownership"* in the case of transmission facilities, including substations and associated facilities, ~~which are located in whole or in part in Iowa,~~ may include the right to the use of an amount of the capacity of the facilities, if the joint agreement so provides. *"Own"* and *"ownership"* ~~in the case of transmission facilities, including substations and associated facilities, does not~~ may include ~~those which are located in states which are not contiguous to Iowa~~ a joint facility located in this state or outside this state.

Sec. 2. NEW SECTION. 390.8A **Transmission facility ownership.**

In addition to the powers conferred upon a city or electric power agency elsewhere in this chapter, a city or electric power agency may acquire ownership interest in a transmission facility, including ownership of the capacity of such facility, within this state or in any other state for the purpose of participating with other utilities in transmission to be operated by a regional transmission organization or an independent transmission operator approved by the federal

energy regulatory commission. For purposes of this section, "*electric power agency*" means the same as defined in section 390.9.

KRAIG PAULSEN
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and is known as House File 2144, Eighty-fourth General Assembly.

W. CHARLES SMITHSON
Chief Clerk of the House

Approved _____, 2012

TERRY E. BRANSTAD
Governor